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Eric D. Witkin  
212.497.8487 direct  
212.583.9600 main  
646.417.7546 fax  
ewitkin@littler.com

July 27, 2021

**VIA ECF**

Hon. Andrew L. Carter  
United States District Judge  
Southern District of New York  
40 Foley Square Room 435  
New York, NY 10007

MEMO ENDORSED

Re: Nachshen v. ESRT 10 Union Square LLC & Starbucks Corp. (SDNY - No. 19 CV 10318)

Dear Judge Carter:

Our law firm represents Defendants in this action. Defense counsel and counsel for the proposed substituted Plaintiff have finalized the terms of a written agreement to resolve this action subject to the Court's issuance of an order substituting Louise Nachshen as Plaintiff herein in lieu of the deceased Plaintiff Steven Nachshen.

Accordingly, on that basis, Defendants consent to Plaintiff counsel's motion requesting issuance of an Order substituting Louise Nachshen in her capacity as administrator of the Estate of Steven Nachshen, for the late Plaintiff Steven Nachshen, filed June 2, 2021 (ECF No. 70).

Respectfully,

Eric D. Witkin

cc: All Counsel of Record (via ECF)

**Plaintiff's motion to substitute plaintiff for Louise Nachshen in her capacity as administrator of the Estate of Steven Nachshen is hereby GRANTED. The Clerk of Court is respectfully directed to terminate ECF No. 70.**

SO ORDERED:

HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE

Dated: August 2, 2021